

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

XAVIER MANUEL DE JESUS APONTE

DEBTOR

CASE NO. 15-02841-ESL

CHAPTER 13

**NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN  
AND CERTIFICATE OF SERVICE**

**TO THE HONORABLE COURT:**

NOW COMES, XAVIER MANUEL DE JESUS APONTE, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays:

1. The debtor is hereby submitting a proposed amended Plan, dated August 4, 2015, herewith and attached to this motion.
2. This proposed amended Plan is filed to provide for IRS priority claim and increase the Plan Base in order to comply with distribution of Plan.

**WHEREFORE** debtor respectfully requests the confirmation of the requested amended Plan, dated August 4, 2015.

**I CERTIFY** that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor and to all creditors and interested parties appearing in the master address list, hereby attached.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 4<sup>th</sup> day of August, 2015.

/s/ Roberto Figueroa Carrasquillo  
ROBERTO FIGUEROA CARRASQUILLO  
USDC #203614  
ATTORNEY FOR PETITIONER  
PO BOX 186 CAGUAS PR 00726  
TEL. NO. (787) 744-7699

United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. \_\_\_\_\_

DE JESUS APONTE, XAVIER MANUEL

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.  
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____		<input checked="" type="checkbox"/> AMENDED PLAN DATED: <b>8/04/2015</b>	
<input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
<b>I. PAYMENT PLAN SCHEDULE</b>		<b>II. DISBURSEMENT SCHEDULE</b>	
$\$ \underline{175.00} \times \underline{12} = \$ \underline{2,100.00}$		A. ADEQUATE PROTECTION PAYMENTS OR \$ _____	
$\$ \underline{205.00} \times \underline{48} = \$ \underline{9,840.00}$		B. SECURED CLAIMS:	
$\$ \underline{\hspace{1cm}} \times \underline{\hspace{1cm}} = \$ \underline{\hspace{1cm}}$		<input checked="" type="checkbox"/> Debtor represents no secured claims.	
$\$ \underline{\hspace{1cm}} \times \underline{\hspace{1cm}} = \$ \underline{\hspace{1cm}}$		<input type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:	
$\$ \underline{\hspace{1cm}} \times \underline{\hspace{1cm}} = \$ \underline{\hspace{1cm}}$		1. <input type="checkbox"/> Trustee pays secured ARREARS:	
TOTAL: \$ <u>11,940.00</u>		Cr. _____ Cr. _____ Cr. _____	
Additional Payments:		# _____ # _____ # _____	
\$ _____ to be paid as a LUMP SUM		\$ _____ \$ _____ \$ _____	
within _____ with proceeds to come from:		2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims:	
<input type="checkbox"/> Sale of Property identified as follows:		Cr. _____ Cr. _____ Cr. _____	
_____		# _____ # _____ # _____	
<input type="checkbox"/> Other:		\$ _____ \$ _____ \$ _____	
_____		3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL:	
Periodic Payments to be made other than, and in		Cr. _____ Cr. _____ Cr. _____	
addition to the above:		# _____ # _____ # _____	
\$ _____ x _____ = \$ _____		\$ _____ \$ _____ \$ _____	
PROPOSED BASE: \$ <u>11,940.00</u>		4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:	
<b>III. ATTORNEY'S FEES</b>		5. <input type="checkbox"/> Other:	
(Treated as § 507 Priorities)		6. <input type="checkbox"/> Debtor otherwise maintains regular payments directly to:	
Outstanding balance as per Rule 2016(b) Fee		C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.	
Disclosure Statement: \$ <u>2,868.00</u>		11 U.S.C. § 507 and § 1322(a)(2)	
Signed: <u>/s/ XAVIER MANUEL DE JESUS APONTE</u>		D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.	
Debtor		1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____	
_____		<input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____	
Joint Debtor		Cr. _____ Cr. _____ Cr. _____	
		# _____ # _____ # _____	
		\$ _____ \$ _____ \$ _____	
		2. Unsecured Claims otherwise receive PRO-RATA disbursements.	
		OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)	
		* Priority: IRS 2014 (\$1,584) & ASUME arrears (\$6,185.36) will be paid through the Trustee.	
		* Debtor to continue making current direct payments to ASUME.	
		* "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."	

Attorney for Debtor R. Figueroa Carrasquillo Law Office

Phone: (787) 744-7699

Label Matrix for local noticing  
0104-3  
Case 15-02841-ESL13  
District of Puerto Rico  
Old San Juan  
Tue Aug 4 14:10:49 AST 2015

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RR-05 BOX 8755  
BO BUENA VISTA  
BAYAMON, PR 00956-9287

US Bankruptcy Court District of P.R.  
Jose V Toledo Fed Bldg & US Courthouse  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

Department of Treasury  
Bankruptcy Section (424)  
P.O. Box 9024140  
San Juan PR 00902-4140

ASUME  
PO BOX 11218  
SAN JUAN, PR 00910-2318

AT&T Mobility Puerto Rico, Inc  
%AT&T SERVICES INC.  
KAREN A. CAVAGNARO PARALEGAL  
ONE AT&T WAY, SUITE 3A104  
BEDMINSTER, NJ 07921-2693

Att Services  
PO Box 192830  
San Juan, PR 00919-2830

BANCO POPULAR DE PUERTO RICO  
BANKRUPTCY DEPARTMENT  
PO BOX 366818  
SAN JUAN PR 00936-6818

Banco Popular De Puerto Rico  
PO Box 3228  
San Juan, PR 00936

Cavalry SPV I, LLC  
500 Summit Lake Dr Ste 400  
Valhalla, NY 10595-2321

Coop A/C Regla Oro  
RR 5 BOX 8755  
Bayamon, PR 00956-9287

Departamento De Hacienda  
PO Box 1055  
Caguas, PR 00726-1055

Depto De Transportacion Y Obras Publicas  
PO Box 41269  
San Juan, PR 00940-1269

SPRINT  
PO Box 7993  
Atlanta, GA 30357-0993

Western Bank  
PO Box 1180  
Mayaguez, PR 00681-1180

ALEJANDRO OLIVERAS RIVERA  
ALEJANDRO OLIVERAS CHAPTER 13 TRUS  
PO BOX 9024062  
SAN JUAN, PR 00902-4062

MONSITA LECAROS ARRIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901

ROBERTO FIGUEROA CARRASQUILLO  
PO BOX 186  
CAGUAS, PR 00726-0186

XAVIER MANUEL DE JESUS APONTE  
HC 4 BOX 6909  
YABUCOA, PR 00767-9512

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